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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/725,110	DORN ET AL.
	Examiner	Art Unit	
	OSCAR A. LOUIE	2436	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _13 August 2008_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-11_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-11_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This first non-final action is in response to the Request for Continued Examination filing of 08/13/2008. Claims 1-11 are pending and have been considered as follows.

Examiner Note

In light of the applicants' amendments, the examiner hereby withdraws his previous Specification Objections and withdraws his previous 35 U.S.C. 101 rejections with respect to Claims 10 & 11.

Specification

1.   The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

-    Claims 1, 10, & 11 lines 6, 9, & 12 recite "a same instance" however, in view of the applicants' Specification, this subject matter lacks antecedent basis;

     o   The examiner notes that the applicants' Specification does have support for "instances" however, these "instances" appear to be drawn toward different "authentication instances";

Claim Objections

2.   Claims 1,10, & 11 are objected to because of the following informalities:

- Claim 1:

    o   Line 1 recites the term "for" which should be "…of…" since the usage of the term "for" implies intended use;

    o   Line 10 recites "at [sic: "at" should be removed"]" which should be omitted, and for the considerations below has been considered as such;

- Claim 10:

    o   Lines 10, 12, 14 recite the term "for" which should be "…configured to…" since the usage of the term "for" implies intended use;

- Claim 11:

    o   Lines 3, 6, & 8 recite the term "for" which should be "…configured to…" since the usage of the term "for" implies intended use;

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1 & 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Evans et

al. (US-7213054-B2) in view of Lowe et al. ("WinXP Pro File Sharing").

Claim 1:

Evans et al. disclose a method for logging a new user into a data processing device with an

operating system and an accessible element that is at least one of an application program and

sensitive data comprising,

-       "ending a first user's access to the accessible element without unloading or restarting the

accessible element" (i.e. "At this point, the desktop is said to be "switched out", but it is

still active. The user will need to log on again in accord with process 200 to have the

active desktop "switched in"") [column 6 lines 40-43];

-       "determining authentication data for authenticating a second user" (i.e. "In step 202, the

user provides the necessary inputs to logon as part of the user authentication scheme. For

example, the user selects text identifier 110 or graphical identifier 112 and subsequently

enters a password in password input field 114") [column 5 lines 60-64];

- "defining an identity and access rights depending on the authentication data for the second user" (i.e. "Using Windows NT profiles, the user's data is separated from other user's data and depending on the user's or the computer manager's preferences, access to other user's data can be secured") [column 5 lines 41-44];

- "providing access, depending on the defined access rights, for at the accessible element, that has not been unloaded or restarted, by the second user" (i.e. "At this point, the desktop is said to be "switched out", but it is still active. The user will need to log on again in accord with process 200 to have the active desktop "switched in"") [column 6 lines 40-43];

but, they do not explicitly disclose,

- "sharing a same instance of the accessible element between the first user and the second user," although Lowe et al. do suggest sharing the same files among numerous users, as recited below;

however, Lowe et al. do disclose,

- [The description and figures detail and illustrate a method by which at least one user would configure and setup their files for sharing where multiple users have access to the same files based on their username and group permissions];

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the applicant's invention to include, "sharing a same instance of the accessible element between the first user and the second user," in the invention as disclosed by Evans et al. for the purposes of filing sharing among numerous users based on their permissions/access rights.

Claim 9:

Evans et al. and Lowe et al. disclose a method for logging a new user into a data processing

device with an operating system and an accessible element that is at least one of an application

program and sensitive data, as in Claim 1 above, their combination further comprising,

- "blocking all access rights based upon a failed attempt to authenticate a user in the first

  step" (i.e. "If the authentication was not a success, then in accord with step 204 (NO),

  process 200 returns to logon screen 100") [column 5 lines 66-67].

Claim 10:

Evans et al. disclose a computer system comprising,

- "an accessible element that is at least one of an application program and sensitive data

  that is accessible by a first user and a subsequent second user without unloading or

  restarting the accessible element" (i.e. "the user's desktop remains running and all

  applications that have been started on that desktop continue to run…At this point, the

  desktop is said to be "switched out", but it is still active. The user will need to log on

  again in accord with process 200 to have the active desktop "switched in"") [column 6

  lines 36-43];

- "a program stored in a memory element of the computer memory" (i.e. "A number of

  program modules may be stored on the hard disk, magnetic disk 29, optical disk 31,

  ROM 24, or RAM 25, including an operating system 35, one or more application

  programs 36, other program modules 37, and program data 38") [column 4 lines 19-23];

  "a software module or algorithm for determining authentication data for authenticating

  the second user with respect to the accessible element" (i.e. "In step 202, the user

provides the necessary inputs to logon as part of the user authentication scheme. For

example, the user selects text identifier 110 or graphical identifier 112 and subsequently

enters a password in password input field 114") [column 5 lines 60-64];

- "a software module or algorithm for defining an identity and access rights depending on

the authentication data" (i.e. "Using Windows NT profiles, the user's data is separated

from other user's data and depending on the user's or the computer manager's preferences,

access to other user's data can be secured") [column 5 lines 41-44];

- "a software module or algorithm for providing access, depending on the defined access

rights, for the accessible element" (i.e. "At this point, the desktop is said to be "switched

out", but it is still active. The user will need to log on again in accord with process 200 to

have the active desktop "switched in"") [column 6 lines 40-43];

but, they do not explicitly disclose,

- "an accessible element that is at least one of an application program and sensitive data

that is accessible by a first user and a same instance of the accessible element that is

accessible by a subsequent second user without unloading or restarting the accessible

element," although <u>Lowe et al.</u> do suggest sharing the same files among numerous users,

as recited below;

however, <u>Lowe et al.</u> do disclose,

- [The description and figures detail and illustrate a method by which at least one user

would configure and setup their files for sharing where multiple users have access to the

same files based on their username and group permissions];

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the

applicant's invention to include, "an accessible element that is at least one of an application

program and sensitive data that is accessible by a first user and a same instance of the accessible

element that is accessible by a subsequent second user without unloading or restarting the

accessible element," in the invention as disclosed by Evans et al. for the purposes of filing

sharing among numerous users based on their permissions/access rights.

Claim 11:

Evans et al. disclose a computer readable data storage media having a program comprising,

- "a software module or algorithm for determining authentication data for authenticating a

    user into a data processing device with an operating system and an accessible element

    that is at least one of an application program and sensitive data" (i.e. "In step 202, the

    user provides the necessary inputs to logon as part of the user authentication scheme. For

    example, the user selects text identifier 110 or graphical identifier 112 and subsequently

    enters a password in password input field 114") [column 5 lines 60-64];

    "a software module or algorithm for defining an identity and access rights depending on

    the authentication data" (i.e. "Using Windows NT profiles, the user's data is separated

    from other user's data and depending on the user's or the computer manager's preferences,

    access to other user's data can be secured") [column 5 lines 41-44];

- "a software module or algorithm for providing access by the user, depending on the

    defined access rights, for the accessible element subsequent to an access of the accessible

    element by a prior first user without unloading or restarting the accessible element" (i.e.

"At this point, the desktop is said to be "switched out", but it is still active. The user will

need to log on again in accord with process 200 to have the active desktop "switched

in"") [column 6 lines 40-43];

but, they do not explicitly disclose,

-    "a software module or algorithm for providing access by the user, depending on the

     defined access rights, for a same instance of the accessible element subsequent to an

     access of the accessible element by a prior first user without unloading or restarting the

     accessible element," although Lowe et al. do suggest sharing the same files among

     numerous users, as recited below;

however, Lowe et al. do disclose,

-    [The description and figures detail and illustrate a method by which at least one user

     would configure and setup their files for sharing where multiple users have access to the

     same files based on their username and group permissions];

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the

applicant's invention to include, "a software module or algorithm for providing access by the

user, depending on the defined access rights, for a same instance of the accessible element

subsequent to an access of the accessible element by a prior first user without unloading or

restarting the accessible element," in the invention as disclosed by Evans et al. for the purposes

of filing sharing among numerous users based on their permissions/access rights.

5.   Claims 2-5, 7, & 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Evans</u>

<u>et al.</u> (US-7213054-B2) in view of <u>Lowe et al.</u> ("WinXP Pro File Sharing") and in further view

of <u>Dutcher</u> (US-6021496-A).

Claim 2:

<u>Evans et al.</u> and <u>Lowe et al.</u> disclose a method for logging a new user into a data processing

device with an operating system and an accessible element that is at least one of an application

program and sensitive data, as in Claim 1 above, their combination further comprising,

- "performing a user switch process step that causes the method to begin again at the first

  step" (i.e. "the operating system will automatically switch back to the logon desktop after

  a user configurable timeout period") [column 5 lines 52-54];

but they do not explicitly disclose,

- "displaying a user interface, depending on the defined access rights," although <u>Dutcher</u>

  does suggest a module which controls the display interface, as recited below;

- "content of a user interface remaining unchanged until access rights have been defined

  again," although <u>Dutcher</u> does suggest user accounts having access privileges, as recited

  below;

however, <u>Dutcher</u> does disclose,

- "This module also controls the visual elements of the interface including displaying the

  logon panel, collecting the userid and password from the user, displaying messages, etc"

  [column 14 lines 17-38];

- "when the user account is established, the user may become a member of groups having

   access privileges. These privileges are typically set by system policies that control the

   functions clients are able to execute." [column 13 lines 51-62];

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the

applicant's invention to include, "displaying a user interface, depending on the defined access

rights" and "content of a user interface remaining unchanged until access rights have been

defined again," in the invention as disclosed by Evans et al. and Lowe et al. for the purposes of

user switching among user accounts with varying access privileges.

Claim 3:

Evans et al., Lowe et al., and Dutcher disclose a method for logging a new user into a data

processing device with an operating system and an accessible element that is at least one of an

application program and sensitive data, as in Claim 2 above, but the combination of Evans et al.

and Lowe et al. do not explicitly disclose,

- "the content of the user interface is reduced if the renewed definition of access rights

   defines a more limited scope than the previous definition allowed," although Dutcher

   does suggest user account clean up, as recited below;

however, Dutcher does disclose,

- "The routine begins at step 106 to determine whether the user account is to be cleaned

   up" [column 11 lines 26-41];

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the

applicant's invention to include, "the content of the user interface is reduced if the renewed

definition of access rights defines a more limited scope than the previous definition allowed," in

the invention as disclosed by Evans et al. and Lowe et al. for the purposes of cleaning up user

accounts.

Claim 4:

Evans et al., Lowe et al., and Dutcher disclose a method for logging a new user into a data

processing device with an operating system and an accessible element that is at least one of an

application program and sensitive data, as in Claim 3 above, but the combination of Evans et al.

and Lowe et al. do not explicitly disclose,

- "generating a warning message indicating a reduction in content and that the user has an

    opportunity to begin the method at the first step again before the reduction," although

    Dutcher does suggest taking actions based on the outcome of the clean up routine, as

    recited below;

however, Dutcher does disclose,

- "Step 106 has a positive outcome at logoff, but there may be other occasions when the

    user is still logged on when it will be desirable to implement the routine" [column 11

    lines 26-41];

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the

applicant's invention to include, "generating a warning message indicating a reduction in content

and that the user has an opportunity to begin the method at the first step again before the

reduction," in the invention as disclosed by <u>Evans et al.</u> and <u>Lowe et al.</u> for the purposes of user

account clean up.

Claim 5:

<u>Evans et al.</u> and <u>Lowe et al.</u> disclose a method for logging a new user into a data processing

device with an operating system and an accessible element that is at least one of an application

program and sensitive data, as in Claim 1 above, their combination further comprising,

- "starting the method from the first step again" (i.e. "the operating system will

    automatically switch back to the logon desktop after a user configurable timeout period")

    [column 5 lines 52-54];

but they do not explicitly disclose,

- "displaying a user interface in accordance with the access rights that are defined,"

    although <u>Dutcher</u> does suggest a module which controls the display interface, as recited

    below;

- "deleting, by a User Logout procedure, content of a user interface," although <u>Dutcher</u>

    does suggest user account clean up, as recited below;

however, <u>Dutcher</u> does disclose,

- "This module also controls the visual elements of the interface including displaying the

    logon panel, collecting the userid and password from the user, displaying messages, etc"

    [column 14 lines 17-38];

- "If the policy is set to "delete the user account" (as signified by a value of 1 in this

  embodiment), a Win32 API is executed to delete the local user account" [column 12 lines

  38-40];

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the

applicant's invention to include, "displaying a user interface in accordance with the access rights

that are defined" and "deleting, by a User Logout procedure, content of a user interface," in the

invention as disclosed by Evans et al. and Lowe et al. for the purposes of user account clean up.

Claim 7:

Evans et al. and Lowe et al. disclose a method for logging a new user into a data processing

device with an operating system and an accessible element that is at least one of an application

program and sensitive data, as in Claim 1 above, their combination further comprising,

- "starting the method from the first step again" (i.e. "the operating system will

  automatically switch back to the logon desktop after a user configurable timeout period")

  [column 5 lines 52-54];

but they do not explicitly disclose,

- "activating a screen saver by a defined condition to make a user interface illegible,"

  although Dutcher does suggest the use of a screen saver, as recited below;

however, Dutcher does disclose,

- "WIxscreenSaverNotify ()--handles screen saver display request" [column 15 lines 33-

  34];

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the

applicant's invention to include, "activating a screen saver by a defined condition to make a user

interface illegible," in the invention as disclosed by Evans et al. and Lowe et al. for the purposes

of a screen saver.

Claim 8:

Evans et al., Lowe et al., and Dutcher disclose a method for logging a new user into a data

processing device with an operating system and an accessible element that is at least one of an

application program and sensitive data, as in Claim 7 above, but the combination of Evans et al.

and Lowe et al. do not explicitly disclose,

-    "the defined condition is some amount of elapsed time," although Dutcher does suggest a

     screen saver function that takes arguments, as recited below;

however, Dutcher does disclose,

-    "WIxscreenSaverNotify ()--handles screen saver display request" [column 15 lines 33-

     34];

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the

applicant's invention to include, "the defined condition is some amount of elapsed time," in the

invention as disclosed by Evans et al. and Lowe et al. for the purposes of enabling a screen saver

under a specific condition (i.e. time).

6.   Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Evans et al.</u> (US-7213054-B2) in view of <u>Lowe et al.</u> ("WinXP Pro File Sharing") and in further view of <u>Win</u> (US-6161139-A).

Claim 6:

<u>Evans et al.</u> and <u>Lowe et al.</u> disclose a method for logging a new user into a data processing device with an operating system and an accessible element that is at least one of an application program and sensitive data, as in Claim 1 above, but their combination do not explicitly disclose,

- "logging all access to the application program and all access to the sensitive data together with the respectively defined identity," although <u>Win</u> does suggest logging user activity, as recited below;

however, <u>Win</u> does disclose,

- "For each login attempt, the Login Tracking Service logs the user's login activity. It saves the time of last successful and unsuccessful logins and number of consecutive, unsuccessful login attempts. The last successful and unsuccessful login times are displayed to the user after each successful login. Users can thus detect if someone else has attempted to use their account" [column 9 lines 46-52];

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the applicant's invention to include, "logging all access to the application program and all access to the sensitive data together with the respectively defined identity," in the invention as disclosed by <u>Evans et al.</u> and <u>Lowe et al.</u> for the purposes of tracking various aspects for security, debugging, and/or troubleshooting since the invention as disclosed by <u>Win</u> entails a network with user logins, where a logger or tracker service keeps record of the user activity.

Response to Arguments

7.   Applicant's arguments with respect to claims 1-11 have been considered but are moot in

view of the new ground(s) of rejection as necessitated by the applicants' amendments.

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to the applicant's

disclosure.

> a.   <u>Abdelnur et al.</u> (US-6212640-B1) - resource sharing;
>
> b.   <u>Phillips et al.</u> (US-7058696-B1) - simultaneous file sharing;

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Examiner Oscar Louie whose telephone number is 571-270-1684.

The examiner can normally be reached Monday through Thursday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nasser Moazzami, can be reached at 571-272-4195. The fax phone number for

Formal or Official faxes to Technology Center 2100 is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

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would like assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/OAL/
10/23/2008

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Supervisory Patent Examiner, Art Unit 2436